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Attorney General Goddard Files Consumer Fraud Lawsuit Against Precision Toyota of Tucson

(Tucson, Ariz. – September 7, 2004) Attorney General Terry Goddard today filed suit against Precision Toyota of Tucson alleging the dealer falsely advertised new cars for sale at 50 percent off the manufacturer's suggested retail price, violating provisions of the *Arizona Consumer Fraud Act*. The lawsuit, filed in Pima Superior Court, is against Rowe Enterprises, Inc., doing business as Precision Toyota of Tucson ("Precision Toyota").

The lawsuit alleges that Precision Toyota advertised this sale widely in a variety of methods including placing ads in area newspapers, on area radio stations, and on local television during prime time coverage of the Summer Olympics.

The ads indicated that Precision Toyota was celebrating 50 years in business by offering "50% off MSRP" on every new Toyota in stock. However, when consumers visited or called the dealership to take advantage of this sale, they were told they could not buy a new Toyota for 50 percent off, the complaint alleges.

Instead, the lawsuit alleges, Precision Toyota turned away consumers who offered to pay cash to purchase a new car and also told consumers that the "50% off MSRP" sale applied only to leases.

The lawsuit outlined one example: A consumer was offered a 36-month lease based on a MSRP of \$29,943, with a down payment of \$1,967, and a monthly lease payment of \$599. The offer included 50 percent off the residual value normally paid at the end of the lease, and this cost was valued at \$13,600, so the sale price was \$6,800.

"This bait and switch tactic is intolerable," Goddard said. "Consumers count on a fair and truthful marketplace. Auto dealers and Arizona businesses are on notice that the Attorney General's Office will not permit them to use false advertising to lure consumers into their showrooms, stores or companies."

The Attorney General's Office is asking the Pima County Superior Court to:

- Prohibit Precision Toyota from engaging in false advertising
- Order Precision Toyota to engage in clear and truthful advertising
- Offer restitution for consumers
- Reimburse attorneys' fees and investigation costs
- Imposed a penalty of up to \$10,000 for each willful violation of the *Arizona Consumer Fraud Act*

Consumers who attempted to take advantage of this sale and couldn't, can file a consumer complaint with the Attorney General's Office by visiting the Attorney General's Web site at www.azag.gov and click on the consumer complaint form box. Consumers can also contact the Tucson office at 520-628-6504.

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